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FLOOR DEBATE

February 5, 2001 LB 163

and several others worked on that vigorously, Senator Wickersham, Senator Don Pederson, Senator Chambers, and a number of us. I hate to name names but, anyway, we worked on that and brought money back to the counties, \$35 a day for the state prisoners, if they were convicted and sentenced to a correction facility. We thought we had covered all bases, but as you know, many times we do not carry all...cover all bases. We have to go back and correct what we did not do. We forgot to put the word "parolees" in there, so any time a person is on probation and he breaks that probation and has to go back to the prison, unfortunately the law states, the statute doesn't state that they can be reimbursed for those dollars also. So it's simply, LB 163 simply does what we thought we did under LB 695. So I guess that's where we stand. We thought it was there but the statute does not state that we can do this. So we thought we should go back and change the statute and make it right. It also puts the word, rather than in the rules, that the Corrections Department can audit the records to make certain that the counties are doing it correctly, and they are...and expenses and so on are justified. It says that they can go in and look at those records when they wish, and every two years they will go in and do that. The Attorney General's Office said the rules do not work in this case. We are doing it, but we are doing it under the rules, and I guess you can't do things under the rules, it has to be in statute. So this is what it does. It simply puts into place what we thought we did several years ago but, unfortunately, and I'll take the blame for it, we forgot the second conviction under the parolee status and the rules are not adequate. It must go through the statutes. Attorney General ruled on that. So to make it...correct the situation that I fouled up on, I'll take the blame for it, I'd just vote for the...I ask for your vote for the advancement of LB 163.

SPEAKER KRISTENSEN: Debate on advancement of the bill? Seeing none, Senator Cudaback, you are recognized to close. He waives that opportunity. The question before the body is the advancement of LB 163 to E & R Initial. All those in favor vote aye; all those opposed vote nay. Have you all voted who care to? Record.